APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,389	06/15/2005	Wilhelmus Hendrikus Alfonsus Bruls	NL 021481	4690

24737   7590   07/29/2008
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER
DANG, HUNG Q

ART UNIT	PAPER NUMBER
2621	

MAIL DATE	DELIVERY MODE
07/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _15 June 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-18_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-18_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 September 2006_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

       1.☒ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-8 and 10-17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Gatepin et al. (US Patent 6,407,681 B2) and Hughes, Jr. et al.

(US 2001/0038746 A1).

Regarding claim 1, Gatepin et al. disclose a method for providing elastic

processing of video data (column 1, lines 51-57), comprising the steps of: at least

partially decoding a video stream (column 2, lines 62-67); attenuating the decoded

video stream data (column 1, line 49 – column 2, line 7; column 3, lines 1-4); and

encoding the attenuated video stream data (column 3, lines 5-6).

However, Gatepin et al. do not disclose the video stream to be enhancement

layer video data. Gatepin et al. also do not disclose the steps of reading stored

enhancement layer video out of said storage apparatus; and storing the encoded

attenuated video in said storage apparatus.

Hughes, Jr. et al. disclose video data to be enhancement layer video data

([0031]; [0042]). Hughes, Jr. et al. also disclose the steps of reading stored

enhancement layer video data out of a disc ([0042]) and storing enhancement layer

video data in a disc ([0031]).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate data to be enhancement layer video data disclosed by Hughes, Jr. et al. into the method disclosed by Gatepin et al. in order to process high-definition data which provides viewers with high-quality images. One of ordinary skill in the art would also have been motivated to incorporate step of reading stored enhancement layer video data out of a disc disclosed by Hughes, Jr. et al. into the method disclosed by Gatepin et al. in order to provide a valid input for the process to succeed. It also allows for using video data from favorite titles of viewers to be processed if desired, thus making the method user friendlier. Also, one of ordinary skill in the art would have been motivated to incorporate the step of storing enhancement layer video data in a disc in order to retain a copy of the video data for later playback. The incorporation of this step also makes the method user-friendlier.

Regarding claim 2, Gatepin et al. also disclose the attenuation reduces the bit-rate of the video data (column 1, line 59 – column 2, line 7).

Regarding claim 3, Gatepin et al. also disclose DCT coefficients of the decoded video data are attenuated (column 3, line 34 - column 4, line 25).

Regarding claim 4, Gatepin et al. also disclose DCT coefficients are attenuated by a predetermined constant value (column 3, line 34 - column 4, line 25; Fig. 4a; Fig. 4b).

Regarding claim 5, Gatepin et al. also disclose the DCT coefficients are attenuated in a non-linear manner (column 4, lines 27-58).

Regarding claim 6, Gatepin et al. also disclose each DCT coefficient is multiplied by a weighting factor in a weighting matrix (column 3, lines 37-50; column 4, lines 6-14).

Regarding claim 7, Gatepin et al. also disclose higher frequency coefficients are more attenuated than low frequency coefficients (Fig. 4a; Fig. 4b).

Regarding claim 8, Gatepin et al. also disclose the weighted DCT coefficients are quantized by dividing the weighted DCT coefficients by a quantization factor prior to being re-encoded (column 3, lines 37-50; column 4, lines 6-14).

Claim 10 is rejected for the same reason as discussed in claim 1 above.

Claim 11 is rejected for the same reason as discussed in claim 2 above.

Claim 12 is rejected for the same reason as discussed in claim 3 above.

Claim 13 is rejected for the same reason as discussed in claim 4 above.

Claim 14 is rejected for the same reason as discussed in claim 5 above.

Claim 15 is rejected for the same reason as discussed in claim 6 above.

Claim 16 is rejected for the same reason as discussed in claim 7 above.

Claim 17 is rejected for the same reason as discussed in claim 8 above.

Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatepin et al. (US Patent 6,407,681 B2) and Hughes, Jr. et al. (US 2001/0038746 A1) as applied to claims 1-8 and 10-17 above, and further in view of Takeuchi et al. (US 2002/0025000 A1).

Regarding claim 9, see the teachings of Gatepin et al. and Hughes, Jr. et al. as discussed in claim 1 above. However, the proposed combination of Gatepin et al. and Hughes, Jr. et al. does not disclose the steps of removing a DC-offset value from a DC

DCT coefficient of the decoded enhancement layer video data prior to the attenuation step; and adding the DC-offset value back into the DC DCT coefficient of the attenuated enhancement layer video data before the encoding step.

Takeuchi et al. disclose the steps of removing a DC-offset value from a DC DCT coefficient of partially decoded video data prior to a attenuation step ([0012]; [0140]-[0144]); and adding the DC-offset value back into the DC DCT coefficient of the attenuated video data after the attenuation step ([0144]).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the steps of removing a DC-offset value and adding the DC-offset value back as disclosed by Takeuchi et al. into the method disclosed by Gatepin et al. and Hughes et al. because, according to Takeuchi et al., the rules are so simple that would allows even a low-throughput processing unit to execute on a real-time basis bit-stream processing (Takeuchi et al., [0010]; [0011]; [0014]).

Claim 18 is rejected for the same reason as discussed in claim 9 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. DANG whose telephone number is (571)270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621